



WEB COPY



WP.No.342 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.342 of 2022

C.Krishnasamy

.. Petitioner

Versus

The Managing Director
The Tamilnadu Cooperative Milk
Producers Federation Ltd
3 A, Pasumpon Muthuramalingam Salai
Nandanam, Chennai – 35

.. Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to consider my representation 30.11.2020 and consequently direct them to pay the interest for the delayed payment of Leave Salary by 18 months and Gratuity by 511 days.

For Petitioner : Mr.K.Swarnavel

For Respondents : Mr.Alagu Goutham

ORDER

This writ petition has been filed seeking to direct the respondent to consider the petitioner's representation 30.11.2020 and direct to pay the interest for the delayed payment of Leave Salary by 18 months and Gratuity by



WP.No.342 of 2022

WEB COPY

2. It is the case of the writ petitioner that he was working as DGM(Finance) in the respondent Federation. On the date of his superannuation, i.e., on 30.06.2014, he was issued with a charge memo and was not allowed to retire. However, in the year 2018, the charges were dropped as against the petitioner in a revision filed by the petitioner before the Managing Director/first respondent. Hence, the petitioner sent a representation dated 19.09.2018 seeking payment of interest upon the delay in payment of leave salary and gratuity, which is pending without consideration. Hence, this writ petition.

3. Heard both sides and perused the materials placed on record. Though the petitioner was not allowed to retire during the year 2014 and further, in the year 2018, the charges were dropped in a revision filed by the petitioner. These facts are not admitted. Such view of the matter, when the departmental proceedings were pending and the charges have been dropped only during the year 2018, this Court is of the view that the petitioner is not entitled to interest from the year 2014. At the most, he is entitled from the year 2018 to till date.



WP.No.342 of 2022

4. Such view of the matter, the respondent is directed to release the terminal benefits, if any, with interest at the rate of 6% from the year 2018 within a period of two months from the date of receipt of a copy of this Order.

5. Accordingly, this writ petition stands disposed of. No costs.

25.07.2023

dhk

Internet: Yes/No

Neutral Citation: Yes/No

To

The Managing Director
The Tamilnadu Cooperative Milk
Producers Federation Ltd
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WP.No.342 of 2022

N.SATHISH KUMAR, J.

dhk

WP.No.342 of 2022

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